

REMARKS/ARGUMENTS

In an Office Action dated December 20, 2006, the Examiner rejected pending Claims 38 and 39 that had previously been allowed. This Amendment and Response comprises the Applicant's reply to the aforementioned Office Action.

In the above-referenced Office Action, the Examiner rejected Claims 38 and 39 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,259,951 to Zimmerman. The Applicant has amended Claim 38 to further distinguish over Zimmermann. More particularly, the Applicant has amended Claim 38 to include a limitation that the upper seal member extends in a first direction and transverse to a longitudinal axis of the first mating surface. In addition, Claim 38 has been amended to include the limitation that the lower seal member extends in a second direction substantially opposite the first direction and transverse to a longitudinal axis of the first and second mating surfaces. At least Figs. 1-3 of the present application provide support for these limitations.

With regard to the cited reference, Zimmerman discloses adjacent edges 8 and 9 that overlie each other and extend in the same direction, such as for a bag or envelope. "As shown in Fig. 2 of the drawings, the strips 6 and 7 are secured to adjacent edges 8 and 9 of an envelope or bag. . . ." (Zimmerman, col. 3, ll. 34-36.) Accordingly, Zimmerman fails to disclose the invention as claimed in amended Claim 38. Since Zimmerman fails to disclose all of the limitations of Claim 38, the Examiner is respectfully requested to withdraw the 35 U.S.C. §102(b) rejection of Claim 38, and to further withdraw the rejection of Claim 39.

The Applicant further notes to the Examiner's attention that new Claims 46 and 47 have been added to further claim the invention.

Application No. 10/803,834

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: /Mark L. Yaskanin/

Mark L. Yaskanin

Registration No. 45,246

1560 Broadway, Suite 1200

Denver, Colorado 80202-5141

(303) 863-9700

Date: June 19, 2007